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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,689	01/18/2001	Yutaka Miyamoto	Q62322	4689

7590

05/22/2003

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WASHINGTON, DC 20037-3213

EXAMINER

TRINH, MINH N

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/761,689

Applicant(s)

MIYAMOTO ET AL.

Examiner

Minh Trinh

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☒ Certified copies of the priority documents have been received in Application No. 09/140,669.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>1</u> | 6) <input type="checkbox"/> Other:  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicants assert that the Restriction requirement is in error has been acknowledges and made of record. The examiner notices that the transmittal letter filed on or about 1/18/2001 was entered (see Paper No. 3) after the mailing of the Restriction letter (see Paper No. 2, dated 3/14/2003). Therefore, the Restriction requirement letter dated 3/14/2003 is inaccurate and has been withdrawn for the above reasons. Claims 1-11 have been cancelled (see transmittal letter). Claims 12-13 are now pending in this application. An Office Action on the merits of claims 12-13 follows.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Apparatus For Manufacturing Wire Harness".

3. The specification is objected to because the related application has already matured into a patent, therefore after "filed August 26, 1998" (in the specification, page 1, line 2) should be added: --, now US Patent No. 6,195,884, issued March 6, 2001--.

4. The abstract of the disclosure is objected to because the scope of it is a wire harness (is a product), which does not describe sufficiently the claimed apparatus for manufacturing a wire harness. Appropriate correction required. See MPEP § 608.01(b).

***Claim Objections***

5. Claim 13 is objected to because of the following informalities:

“An” (claim 13, line 1) should be changed to: --The--.

“ones” (claim 13, line 5) should be changed to: --one--. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 12 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following are examples:

It is not clear as to whether “a single wire harness from the partial harness” (claim 12, line 4) the same as “a wire harness” (in the preamble).

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claim 12, as best understood is rejected under 35 U.S.C. 102(b) as being anticipated by Fukuda et al (US 5,052,449).

Fukuda et al disclose an apparatus for manufacturing a wire harness comprising a wire harness fabricating station as shown in Fig. 1A for forming the wire harness from partial harnesses 2 as shown in Fig. 1(B) the wire harness fabricating station having a connector receiving jig 24 (see Fig. 1(D) on the layout board 10A (see Figs. 1A-2A, col. 6, lines 55-60) which detachably holds a plurality of proper connectors and a plurality of hybrid connectors 16's. Note that the reference No. 16's of Fukuda et al broadly read on a plurality of proper connector and hybrid connectors as claimed by the present invention.

10. Claim 12, as best understood is rejected under 35 U.S.C. 102(a) as being anticipated by Applicant Admitted Prior Art [APA], (see Fig. 13-14, and the discussion under "The Related Art", specification, pages 1-5).

APA (see Fig. 13-14, and the discussion under "The Related Art", specification page 1-5) discloses an apparatus for manufacturing a wire harness comprising a wire harness fabricating station 103 (see Fig. 13, discussion at col. page 1, line 20 to page 2, line 5) for forming a single wire harness from partial harnesses 102 (see Fig. 13) the wire harness fabricating station having a connector receiving jig 106 (or connector table, see the discussion in the specification, page 2, lines 11-17) which detachably holds a plurality of proper connectors (105<sub>3</sub>, 105<sub>4</sub>) and a plurality of hybrid connectors (105<sub>1</sub>, 105<sub>2</sub>). Note that the reference No. 106 of APA broadly read on the receiving jig of the present invention.

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 13 as best understood is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda et al or APA in view of Takada (US 6,269,538).

Fukuda et al or APA as applied and relied upon above do not teach the wire harness fabricating station comprises a connector transferring device for transferring to the connector receiving jig, one of the proper connector and hybrid connectors. Takada teaches a transferring device (including motor 27, rod 28 and guide bar 29 as shown in Fig. 2 and discussed at col. 7, lines 27-29 and col. 8, lines 2-3) for transferring to the connector receiving jig, each of the proper connectors and hybrid connectors, which are fitted in advance. Therefore, it would have been obvious to one ordinary skill in the art, at the time of the invention to modify the fabricating station of Fukuda et al or APA by employing the teaching of Takada's transferring device for various known benefits such as selecting and positioning a number of associated connectors for various type of wire harness base on the manufacturing requirement in an effectively manner. Note that each of connectors 11's as shown in Fig. 4 of Takada broadly read on "one of the proper connectors and hybrid connectors" of the present invention.

***Prior Art Referenc s***

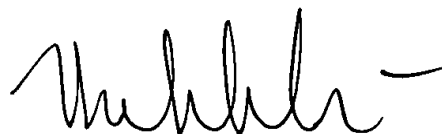
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art references are cited for their teaching of an apparatus for making a wire harness.

### ***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

A handwritten signature in black ink, appearing to read 'M. Trinh', with a horizontal line extending to the right.

M. Trinh  
Patent Examiner Group 3729

mt  
May 2, 2003